

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BEARBOX LLC and AUSTIN STORMS,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 21-534-GBW-CJB
	)	
LANCIUM LLC, MICHAEL T.	)	
MCNAMARA, and RAYMOND E. CLINE,	)	
JR.	)	
	)	
Defendants.	)	

**DECLARATION OF ADAM KAUFMANN IN SUPPORT OF DEFENDANTS' OPENING  
BRIEF IN SUPPORT OF THEIR MOTION FOR FEES AND EXPENSES**

I, Adam Kaufmann, hereby declare and state as follows:

1. I have personal knowledge of the facts set forth in this Declaration; I am competent to testify as to all matters stated in this Declaration; and, I am not under any legal disability that would preclude me from testifying. If called upon to do so, I would testify to the facts set forth in this Declaration.

2. I am a partner at the law firm Barnes & Thornburg LLP, counsel of record for Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline, Jr. (collectively, "Defendants") in the above-captioned case. I am licensed in the State of Illinois and admitted *pro hac vice* to practice before this Court. I submit this declaration in support of Defendants' Opening Brief in Support of Their Motion for Fees and Expenses.

3. Attached to this Declaration as Exhibit 1 is a true and correct copy of an October 31, 2022 email from M. Nelson to B. Horton and its attachment.

4. Attached to this Declaration as Exhibit 2 is a true and correct copy of an excerpt from the December 7, 2022 Trial Transcript in this case.

5. Attached to this Declaration as Exhibit 3 is a true and correct copy of an excerpt from the April 22, 2022 Hearing Transcript in this case.

6. Attached to this Declaration as Exhibit 4 is a true and correct copy of a November 8, 2022 email from A. Kaufmann to Plaintiffs' counsel, which *inter alia* served Defendants' motion *in limine* No. 1.

7. Attached to this Declaration as Exhibit 5 is a true and correct copy of an April 2, 2020 Order, D.I. 358, in *Dexcom, Inc. v. Agamatrix, Inc.*, Case No. 2:16-cv-05947-SJO-AS in the United States District Court for the Central District of California, Western Division.

8. Attached to this Declaration as Exhibit 6 is a true and correct copy of an excerpt from the October 20, 2022 Hearing Transcript from this case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 19<sup>th</sup> day of April, 2023 at Chicago, Illinois.



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Adam Kaufmann